

Exhibit R

Stephen R. Ross

McLean, VA

5/7/2018

Page 1

1 UNITED STATES DISTRICT COURT

2 FOR THE EASTERN DISTRICT OF VIRGINIA

3 Alexandria Division

4 ----- X

5 RSR ART, LLC, :

6 Plaintiff, :

7 v. : Civil No.

8 BOB ROSS, INC., : 1:17-cv-01077-LO-TCB

9 Defendant. :

10 ----- X

11 McLean, Virginia

12 Monday, May 7, 2018

13 Videotaped deposition of STEPHEN R. ROSS,

14 witness herein, called for examination by counsel

15 for Defendant in the above-entitled matter, pursuant

16 to notice, the witness being duly sworn by BARBARA

17 DeVICO, a Notary Public in and for the Commonwealth

18 of Virginia, taken at the offices of Greenberg

19 Traurig, 1750 Tysons Boulevard, Suite 1000, McLean,

20 Virginia, at 9:23 a.m., Monday, May 7, 2018, and the

21 proceedings being taken down by Stenotype by BARBARA

22 DeVICO, CRR, RMR, and transcribed under her direction.

1 APPEARANCES:

2

3

4 On behalf of the Plaintiff:

5 MARK V.B. PARTRIDGE, ESQ.

6 Partridge Partners

7 321 North Clark Street, Suite 720

8 Chicago, Illinois 60654

9 (312) 634-9502

10

11 On behalf of Defendant:

12 STEVEN J. WADYKA, JR., ESQ.

13 Greenberg Traurig

14 2101 L Street, N.W.

15 Washington, D.C. 20037

16 (202) 331-3105

17 and

18 DAVID G. BARGER, ESQ.

19 Greenberg Traurig

20 1750 Tysons Boulevard, Suite 1000

21 McLean, Virginia 22102

22 (703) 749-1307

08:56:11 1 P R O C E E D I N G S

2 VIDEOGRAPHER: Good morning. We're now on

3 the record in the matter of RSR Art, LLC v. Bob

4 Ross, Inc. Today's date is May 7, 2018. The time

09:23:15 5 is 9:23. This is the video deposition of Robert

6 Stephen Ross being taken at 1750 Tysons Boulevard in

7 McLean, Virginia. Our court reporter is Barbara

8 DeVico. Videographer is Nat Pham, both on behalf of

9 Alderson Reporting.

09:23:31 10 Would counsel introduce themselves and

11 state who you represent.

12 MR. WADYKA: Steven Wadyka, Greenberg

13 Traurig, on behalf of Defendant bob Ross, Inc.

14 MR. PARTRIDGE: Mark Partridge, Partridge

09:23:42 15 Partners, on behalf of the plaintiff, RSR Art.

16 VIDEOGRAPHER: Would the court reporter

17 please swear in the witness.

18 ROBERT STEPHEN ROSS,

19 was called as a witness by counsel for

09:23:49 20 Defendant, and having been duly sworn by the Notary

21 Public, was Examined and testified as follows:

22

09:39:40 1 had finished or came close to finishing high school,
2 did you take any type of job after that?

3 A I taught painting classes professionally.
4 As a matter of fact, that's sort of why I didn't
09:39:58 5 care about high school is because I could make so
6 much money without it. And I did educate myself for
7 20 years, you know, of constantly -- I have a
8 library.

9 Q Did -- where did you conduct these
09:40:14 10 painting classes?

11 A All over the country. I believe every
12 place but Arizona and Nevada. Just, just about
13 every other state in the United States.

14 Q And when you were giving these painting
09:40:40 15 classes around the country, did you provide those
16 classes under your full name, Robert Stephen Ross or
17 Steve Ross? How did you hold yourself out?

18 A Usually Stephen Ross. And then
19 unfortunately against my, you know, I talked to the
09:41:06 20 shop owners, and, of course, they always had this
21 thing about wanting to call me Bob Ross because my
22 name is Robert Ross. And you can see obviously why

09:41:14 1 they would want to do that, advertise that Bob Ross
2 is coming for a painting class. And I would
3 constantly tell them do not do that. Use Steve Ross
4 only, because if you do that, I may get in trouble.

09:41:31 5 Q And when you said that you may get in
6 trouble, what were you referring to?

7 A We knew, you know, that for a while there
8 had been inquiries and even stoppage of certain
9 other things that people had done; like my friend
09:41:53 10 Dana Jester, for example, put a painting on eBay
11 said "Bob Ross-style painting" and tried to sell it.
12 And BRI did not like that, and I believe Walt called
13 eBay and they then stopped that.

14 Q That's Walt Kowalski?

09:42:15 15 A Yes, sir.

16 Q And so when you said a moment ago that you
17 were afraid that you might get into trouble, you're
18 referring to the fact that you might get into
19 trouble with BRI because BRI was, controls and owns
09:42:31 20 the rights to your dad's works?

21 MR. PARTRIDGE: Objection. First of all,
22 wait until he finishes so we can have a complete

09:42:37 1 record. But I object to the characterization of the
2 testimony. It's not what he said. You can answer
3 if you understand.

4 MR. WADYKA: Do you remember the question,
09:42:50 5 or should I read it back?

6 THE WITNESS: Go ahead and read it back.

7 BY MR. WADYKA:

8 Q When you said a moment ago that you were
9 afraid you might get into trouble, are you referring
09:43:00 10 to the fact that you might get into trouble with BRI
11 because BRI controlled and owned the rights to your
12 dad's works?

13 A No, only because they had contested so
14 many other people's use of the Bob Ross name. Maybe
09:43:18 15 it was a little bit close to the edge or something,
16 you know. And -- but they did go after many people.
17 So yes. It made me nervous.

18 Q And when you said they went after many
19 people, was it your understanding that these were
09:43:34 20 people who did not have rights to use the Bob Ross
21 name?

22 A Some of, probably all of them.

09:43:43 1 Q All of them did not have rights?

2 A Did not have any rights, no.

3 Q And is it your understanding or

4 recollection that when BRI went after people who did

09:43:55 5 not have the rights to the Bob Ross name that those

6 people stopped doing what they were doing?

7 A I think they mostly did, uh-huh.

8 Q When you were teaching painting classes,

9 did you have any type of business cards or brochures

09:44:24 10 that you gave out to people to promote yourself?

11 A Both, yes, sir.

12 Q Both, business cards and brochures?

13 A Yes.

14 Q And those business cards and brochures,

09:44:35 15 did you use your name, Stephen Ross?

16 A Yes. And there might have been -- I mean,

17 my name is Robert Stephen Ross, so it's a

18 possibility that Robert Stephen Ross was used on

19 those documents. So far back.

09:44:51 20 Q And so for how long did you engage in

21 teaching painting classes under your name, Robert

22 Stephen Ross or rather Stephen Ross?

Stephen R. Ross

McLean, VA

5/7/2018

Page 26

09:47:44 1 and stuff. And so, of course, I was painting
2 wet-on-wet technique and taking an hour for
3 painting, so they were wet. That was a problem.
4 And I had no frames on them. And I could not sell
09:47:58 5 them in competition with these Asian paintings.
6 There was just no way that I could do it. They were
7 too cheap. They also looked cheap.
8 Q So how long did you do landscaping with
9 Flea World?
09:48:14 10 A About a year.
11 Q Any other jobs that you've had over the
12 years besides those?
13 A I should mention it was because of the
14 failure of not being able to sell my paintings there
09:48:29 15 that I told you about that I ended up working on the
16 lawn crew. So it was the only way I could make
17 money.
18 Q Any other positions that you've had over
19 the years besides the ones you've listed?
09:48:47 20 A Not that I can remember, no.
21 Q When your father, Bob Ross, was working
22 with BRI, did he star in a television series?

Stephen R. Ross

McLean, VA

5/7/2018

Page 27

09:49:09 1 A Yes, sir.

2 Q And what was the name of that television
3 series?

4 A The Joy of Painting.

09:49:17 5 Q How long did that series run?

6 A I'd have to guess.

7 Q I don't want you to guess. Do you have a
8 general idea?

9 A I would say 20 some odd years.

09:49:32 10 Q Did you ever have any involvement with the
11 Joy of Painting television series?

12 A Yes, sir.

13 Q And what type of involvement did you have?

14 A I believe I appeared on there maybe eight
09:49:44 15 times. Could have been nine, not really sure, as a
16 guest of my father.

17 Q Were you compensated for your appearance
18 on the Joy of Painting show?

19 A No.

09:50:11 20 Q Never got any payment from BRI?

21 A No, none whatsoever for that particular
22 thing.

Stephen R. Ross

McLean, VA

5/7/2018

Page 28

09:50:20 1 Q Were you compensated by BRI for any other
2 types of activities?

3 A Yes.

4 Q And what were those?

09:50:24 5 A We taught teachers' training seminars for
6 them. You know, many of them over the years. We
7 were not contracted by them to do so or at least we
8 didn't sign the contracts. We were private
9 contractors.

09:50:40 10 Q And when you say "we," who are you
11 referring to?

12 A Dana Jester and myself.

13 Q Are you familiar with the term "certified
14 Ross instructor"?

09:50:51 15 A Yes, sir.

16 Q Were you a certified Ross instructor?

17 A Yes, sir. Well, yes. But we never signed
18 any contracts.

19 Q Was there some type of contract that BRI
09:51:02 20 had for certified Ross instructors?

21 A Yes.

22 Q And were you ever presented with that

Stephen R. Ross

McLean, VA

5/7/2018

Page 30

09:52:21 1 Q Yeah. How were you compensated for these
2 teachers' training sessions that you did?

3 A I was paid directly by Walter Kowalski and
4 BRI Company.

09:52:31 5 Q So you received a check from BRI?

6 A Yes, sir.

7 Q And what -- strike that.

8 Was there a set amount that you were paid
9 for each training session that you gave?

09:52:44 10 A I believe it was \$2,000 apiece.

11 Q Per session?

12 A Per five-day seminar.

13 Q I see. So did you teach these sessions or
14 seminars along with Mr. Jester?

09:53:06 15 A Yes, sir, and separately. He was the top
16 guy and I was next down. And we were teaching
17 people to be teachers.

18 Q Teaching people who could then teach other
19 people the Bob Ross painting technique?

09:53:20 20 A Exactly.

21 Q How many of these seminars or teaching
22 sessions would you estimate that you conducted?

Stephen R. Ross

McLean, VA

5/7/2018

Page 31

09:53:33 1 A I could only guess, not an exact number,

2 but I would say -- wow, that's hard.

3 Q More than a hundred?

4 A No, no. I would say closer to 50 or less.

09:53:50 5 Q And how long did you teach these training

6 sessions or seminars?

7 A Over the course of maybe 12, 14 years.

8 I'm not really, can't really remember.

9 Q So if you had to estimate of when to when,

09:54:18 10 like, for instance, approximately when did you first

11 start teaching these sessions and when was the last

12 time you taught one?

13 A I don't know. I'd have to just make a

14 bunch of guesses about years and stuff. I'm not

09:54:37 15 really good with numbers.

16 Q Have you taught any of these training

17 sessions within the last ten years?

18 A No, sir.

19 Q No?

09:54:45 20 A No.

21 Q Within the last 15 years?

22 A Of these particular kind of sessions?

Stephen R. Ross

McLean, VA

5/7/2018

Page 32

09:54:50 1 Q Yes.

2 A Like certified? No.

3 Q Within the last 20 years?

4 A I can't remember when we stopped teaching

09:55:01 5 those classes, because I taught so many since then

6 and before. But it was an extended period of time

7 that we did this work for BRI, yes.

8 Q Did your uncle, Jimmie Cox, have any

9 involvement with BRI at any time?

09:55:36 10 A I believe they employed him at one time at

11 the Bob Ross Gallery in New Smyrna Beach, Florida.

12 And him and his wife, Pat Mabe, M-a-b-e, ran the

13 place.

14 Q You said it was a Bob Ross gallery?

09:55:57 15 A I believe it's called, yes, I believe it's

16 something like that. The Bob Ross Gallery, the Bob

17 Ross Shop, the Bob Ross something.

18 Q This is a shop or gallery where people

19 could go and buy Bob Ross paintings?

09:56:11 20 A I'm not really sure whether they sold Bob

21 Ross paintings in there or not, but I do know they

22 taught classes in there for sure. And they still

Stephen R. Ross

McLean, VA

5/7/2018

Page 33

09:56:19 1 do.

2 Q So your uncle Jimmie Cox was teaching --

3 A I don't mean Jimmie Cox. Now, there's

4 been several switches in management and maybe even

09:56:29 5 ownership of the Bob Ross Gallery or whatever they

6 call it.

7 Q Was that Bob Ross Gallery an operation

8 that was owned by BRI?

9 A I believe so.

09:56:45 10 Q Did BRI start the Bob Ross Gallery?

11 A Yes.

12 Q Do you recall when they started it?

13 A I would guess, I would only be able to

14 guess. About 1992. Maybe a little earlier. 1990,

09:57:22 15 I guess, or thereabouts.

16 Q Was there any tie-in or association

17 between the Bob Ross Gallery and the Joy of Painting

18 program that your father did?

19 A Could you repeat that.

09:57:35 20 Q Let me ask you another way. Did the Bob

21 Ross Gallery have any materials in it relating to

22 the Joy of Painting?

Stephen R. Ross

McLean, VA

5/7/2018

Page 34

09:57:44 1 A I suppose much of it was. You're asking
2 me about what was inside the Bob Ross Gallery
3 pertaining to or related to products or product
4 sales or Bob Ross equipment? Could you be more
09:58:02 5 specific.

6 Q Sure. Let me just step back a bit.
7 What -- strike that.
8 So if I were to go to the Bob Ross Gallery
9 when it first opened, what would I find there? What
09:58:20 10 was there?

11 A Several tables for students to paint at.
12 Easels lined up. Sometimes I think there was a
13 floor covering on the floor in case of spills. A
14 small counter towards the back with a cash register.
09:58:35 15 A small room in the back that were, maybe the
16 supplies were held and the small bathroom over in
17 the country. Bob's paintings all over the walls.
18 So it fit the definition of a gallery.

19 Q So it was a place where people could go to
09:58:55 20 see Bob Ross paintings as well as to do painting
21 themselves?

22 A Yes, sir.

Stephen R. Ross

McLean, VA

5/7/2018

Page 35

09:59:03 1 Q Did the Bob Ross Gallery sell any types of
2 items?

3 A They sold all of the Bob Ross equipment,
4 as far as I know, yes.

09:59:13 5 Q When you say "Bob Ross equipment," what do
6 you mean?

7 A I mean, painting, tools, brushes, possibly
8 pallets, paint thinner. And probably many other
9 items related to -- everything was sold basically by
09:59:32 10 BRI and produced by Martin Weber Corporation.

11 Q I see. So these, to your understanding,
12 were all items that were licensed by BRI that had
13 the Bob Ross name on them?

14 A As far as I know.

10:00:01 15 Q Is it your understanding that BRI owned
16 and operated the Bob Ross Gallery?

17 A Specifically Walt and Annette is how I had
18 it in my mind owned the gallery. Since that time
19 there have been several teams of people that did the
10:00:22 20 same thing that I told you my uncle Jim and his wife
21 had done; just ran the shop, basically. And I
22 believe the men that they have in there now I was

Stephen R. Ross

McLean, VA

5/7/2018

Page 36

10:00:34 1 told at a meeting in 2010 with Annette and Walt had
2 put forward \$20,000 towards it. And I'm not sure
3 where exactly what that meant, buy-in, maybe, or I
4 have no idea.

10:00:51 5 Q For how long did your uncle Jim and his
6 wife run the Bob Ross Gallery?

7 A I'd say probably four, three, three or
8 four years or something. I believe my uncle Jim was
9 fired by Bob Ross Company, but I don't know what
10:01:15 10 for.

11 Q Do you know when your uncle Jim was fired
12 by Bob Ross Company?

13 A After that three- or four-year period.
14 This is just to the best of my recollection.

10:01:32 15 Q Was your uncle Jim employed by BRI to run
16 the Bob Ross Gallery during the time that your
17 father, Bob Ross, was alive?

18 A Part, part of it, and I'm not sure how
19 long after dad died, Bob Ross died, that Jim and Pat
10:01:51 20 were in there running the shop.

21 Q Do you know whether BRI continues to own
22 and operate the Bob Ross Gallery?

Stephen R. Ross

McLean, VA

5/7/2018

Page 37

10:02:05 1 A I believe they do. It's in my town, so I

2 drive right by it, and I believe it's still open.

3 Q And just for the record, when was it that

4 your father, Bob Ross, passed away?

10:02:18 5 A July 4, 1995.

6 Q After your uncle Jim was -- strike that.

7 You mentioned that it's your understanding

8 that your uncle Jim was fired by BRI. Do you know

9 why he was fired?

10:02:43 10 A I could only speculate as to the

11 circumstances, but I believe it was because him and

12 Pat Mabe had had a divorce, and maybe Pat went to

13 Annette and said something unfavorable about Jim.

14 Q Do you have any idea what that was?

10:03:09 15 A He cheated on her.

16 Q Your Uncle Jim cheated on her?

17 A Yes, Uncle Jim had, you know, he had

18 cheated on his wife, yes.

19 Q After your uncle Jim was fired by BRI, do

10:03:28 20 you know what he did after that?

21 A I believe he just, you know, retired

22 pretty much.

Stephen R. Ross

McLean, VA

5/7/2018

Page 51

10:25:21 1 conversation took -- let me try that again.

2 Do you recall when this yelling

3 conversation took place in relation to when your dad

4 eventually passed away?

10:25:35 5 A I would say the last year of his life was

6 probably the worst yelling. But before that there

7 were some conflicts.

8 Q What types of conflicts were there before

9 that?

10:25:51 10 A Business-related stuff that I was not

11 privy to for the most part.

12 Q Did any of it have to do with how BRI

13 would go about exploiting the Bob Ross name on

14 products?

10:26:24 15 A Can you do that one more --

16 Q Sure. Did any of it have to do with

17 activities whereby BRI would authorize other

18 companies to produce products with your father's

19 name or likeness on them?

10:26:43 20 A Other companies to produce products with

21 Bob Ross name on them?

22 Q Uh-huh.

Stephen R. Ross

McLean, VA

5/7/2018

Page 52

10:26:47 1 A The only one I knew of was Martin Weber
2 Corporation that had a contract with BRI that
3 allowed them to use the Bob Ross name for products.
4 But other than that, other than something small like
10:27:04 5 maybe key chains or notebooks or pens or something,
6 I know they bought those things for the original
7 certified classes. And they handed out these sort
8 of, I don't want to say gimmick items, but, you
9 know, that's what they were.

10:27:21 10 Q Kind of tchotchkes, that type of thing?

11 A Yes, they had a Bob head on them, the
12 signature-type looking thing. Not really signature
13 but, you know, what they did at the company, Bob
14 Ross with the flared R that came out and all that.

10:27:40 15 Q And these were, you said notebooks and
16 pens and key chains, do you recall seeing those?

17 A I do.

18 Q Do you recall seeing any other types of
19 tchotchkes that were being sold during your father's
10:27:59 20 life?

21 A Later on it might be even after my dad
22 died, and I believe it was, there was a T-shirt, a

Stephen R. Ross

McLean, VA

5/7/2018

Page 53

10:28:07 1 canvas carrying bag, a watch. There was of course,
2 pens, notebook. Oh, a Bob Ross puzzle, jigsaw
3 puzzle, in a box.

4 Q You mentioned a T-shirt, a canvas carrying
10:28:27 5 bag, a watch and a jigsaw puzzle?

6 A Yes, sir. There may have been one or two
7 other things. It was like a gift pack, you know,
8 that they gave the canvas bag with the items in to
9 certified instructors. But I don't believe any of
10:28:42 10 these items were sold on store shelves or anything.

11 Occasionally I would see someone with a Bob Ross
12 shirt on or something like that, and I would assume
13 they bought it at a garage sale or a certified
14 instructor had sold, you know, their shirt or
10:28:57 15 whatever. Given it away to a garage sale and maybe
16 that's how they got it.

17 Q To your knowledge, were these products you
18 just mentioned, the T-shirt, canvas carrying bag,
19 watch, jigsaw puzzle and the pens and key chains and
10:29:17 20 notebooks, were all those products approved by your
21 dad in any way? Do you recall whether he approved
22 of his use --

Stephen R. Ross

McLean, VA

5/7/2018

Page 83

11:10:38 1 discussions before time of my father's death.

2 Q With your father or Uncle Jim or both?

3 A All of us, yes.

4 Q Prior to your father's death, did you and
11:10:52 5 your father have any conversations regarding a trust
6 that your father established?

7 A Yes.

8 Q And what did you discuss with your father
9 about the trust that he established?

11:11:06 10 A That he was leaving me a house and I
11 believe it was \$600,000, something like that. And
12 he gave a Corvette, 1969 Sting Ray to my stepbrother
13 or half brother, I should call him.

14 Q Who is your half brother?

11:11:30 15 A Bob Keifer, I think it's K-e-i-f-e-r, same
16 father, different mother.

17 Q Who is Mr. Keifer's mother?

18 A I couldn't even tell you the name off the
19 top of my head. I've only met the guy like three or
11:11:46 20 four times, and he has been to my house in New
21 Smyrna two times.

22 Q Is he the son of Linda Ross?

Stephen R. Ross

McLean, VA

5/7/2018

Page 85

11:13:04 1 shared the same father, was that before or after
2 your father passed away?

3 A Before, I believe, yes. Maybe two years.
4 Two years before.

11:13:23 5 Q So let's go back to the trust that we were
6 talking about.

7 A It may have been a little longer. May
8 have been a little longer.

9 Q A little longer prior to your father's
11:13:35 10 passing?

11 A Yeah, yeah. I think we all knew, found
12 out about that I think maybe eight years before. I
13 have to guess at the number because it's so hard to
14 remember that.

11:13:55 15 Q Let's go back to the trust that we were
16 talking about. Was that trust prepared by your
17 father prior to his passing?

18 A Yes.

19 Q Did you see a copy of the trust document
11:14:16 20 prior to his passing?

21 A I don't recall whether I saw one or not.
22 I don't think I did. I don't think it was until the

Stephen R. Ross

McLean, VA

5/7/2018

Page 86

11:14:36 1 reading of the will and a manila envelope we got
2 after that. It may have been in there the first
3 time I saw it.

4 Q So when was the reading of your father's
11:14:45 5 will?

6 A At Fran DeGraw's office in Orlando just
7 shortly after he died. Maybe one, one day after he
8 died.

9 Q Okay. So we're talking July 5, 1995, or
11:15:03 10 thereabouts?

11 A Right around that time, yes.

12 Q And you said there was a reading of the
13 will. So the will was read out loud?

14 A Yeah. It was gone through with us by his
11:15:14 15 attorney and she gave us information. And possibly
16 a copy of the will was given to me.

17 Q Was -- strike that.

18 Who besides yourself was in attendance at
19 the reading of the will?

11:15:36 20 A Let's see. Fran DeGraw on this side of
21 the table. My aunt Nancy, Linda, my father's wife,
22 myself, and I can't remember whether Uncle Jim and

Stephen R. Ross

McLean, VA

5/7/2018

Page 92

11:22:08 1 understanding?

2 A I think Uncle Jim received a car, a Lexus,

3 I'm going to say a 400 or 450. And a few other

4 small knickknacks, him and Nancy, I think a statue,

11:22:24 5 Nancy got an owl statue. Not a Remington or

6 anything like that.

7 Q And your Aunt Nancy, how was she related

8 to you?

9 A My aunt Nancy was my uncle Jim's first

11:22:39 10 wife.

11 (Exhibit Number S. Ross-5, document

12 Bates-stamped BR0334, marked for

13 identification.)

14 Q Mr. Ross, after your father passed away,

11:23:44 15 did you ever have occasion to visit your Jimmie at

16 his house, spend time at his house?

17 A Sure. Not actually at his house. He

18 always came to my house. As a matter of fact, I

19 have never been in the house where my uncle Jim

11:23:59 20 lives in at all. He invited me many, many times.

21 I'm a bit of an introvert. I don't like to leave my

22 own house and go to other people's houses, to be

Stephen R. Ross

McLean, VA

5/7/2018

Page 93

11:24:08 1 honest with you.

2 Q How far away from you does your uncle Jim
3 live?

4 A He lives on the other side of New Smyrna,
11:24:20 5 if you want me to guess.

6 Q So you live in the same town, yes?

7 A Yes, sir, yes.

8 Q And you said that he's invited you several
9 times?

11:24:28 10 A Yes, he has.

11 Q Over the course of the years since your
12 father's passing? You have to answer.

13 A Yes.

14 Q And you have not accepted any of those
11:24:39 15 invitations to go to his house?

16 A No.

17 Q And it's because you don't, I think you
18 said you were a bit introverted?

19 A Yes. I just like to stay at home and read
11:24:51 20 and write and play with the Internet, that sort of
21 thing.

22 Q You don't have any type of medical or

Stephen R. Ross

McLean, VA

5/7/2018

Page 94

11:25:03 1 psychological condition that keeps you from wanting
2 to get --

3 A Never been to a psychiatrist, never been,
4 I think I was to one counselor in school.

11:25:14 5 Q Ever been diagnosed with any kind of
6 disorder that results in your not wanting to
7 socialize with people?

8 A I don't consider, first of all, not
9 wanting to socialize with people, especially the way
11:25:27 10 the world is today, any kind of psychological issue.

11 As a matter of fact, I would say it's gotten bad
12 enough that the objective of life is to escape
13 finding one's self in the ranks of the insane.

14 Q Is that a quote that you pulled from
11:25:56 15 somewhere?

16 A Yes.

17 Q Where does that come from?

18 A Marcus Aurelius.

19 Q Is that a quote that you live by?

11:26:07 20 A Yes. I would say it is, yeah. I would
21 say it is. I'm very careful about not joining
22 anything, let's put it that way.

Stephen R. Ross

McLean, VA

5/7/2018

Page 95

11:26:20 1 Q But other than what you just testified to,
2 there's nothing that would have prevented you from
3 visiting your uncle Jim on the other side of town
4 and spending time with him and spending time at his
11:26:34 5 house?

6 A No, I love him.

7 Q Do you know if your uncle Jim, is he
8 maintaining any kind of office in his house where he
9 keeps papers and things of that nature?

11:26:48 10 A Say that again, papers?

11 Q Does your uncle Jim maintain any kind of
12 office in his house where he keeps papers and things
13 of that nature?

14 A I wouldn't know, because I have not been
11:27:01 15 in his house, so when you say "I love him," we have
16 our differences, but he's my uncle.

17 Q Do you feel your love for your uncle is
18 reciprocated by him?

19 A Most of the time.

11:27:30 20 Q Let me show you what we've marked as
21 Exhibit 5 to your deposition. Take a look at that,
22 please.

Stephen R. Ross

McLean, VA

5/7/2018

Page 109

11:43:48 1 A No. And first of all, the timeline is so
2 different there, you know. One thing happened in
3 the past or, you know, what you're asking me
4 happened in the past or whatever, and there's -- I
11:43:58 5 don't really know how to explain myself on that, but
6 there's a big gap in between what you're saying
7 there. If you could ask the question like in two
8 parts and specify, if you would, what you're really
9 asking me.

11:44:10 10 Q Were you concerned during the time you
11 were touring around the country giving art classes
12 as Stephen Ross and art stores billing you out at
13 Bob Ross, were you at all concerned during that time
14 period about protecting yourself in some way from
11:44:29 15 possible objections or legal action by BRI?

16 A No, because I, you know, even though I
17 didn't have a contract, we were all friends. You
18 know, but, you know, I mean, I was like a Bob Ross
19 soldier, you know.

11:44:50 20 Q You were a Bob Ross soldier? What do you
21 mean?

22 A We all did our best to promote dad.

Stephen R. Ross

McLean, VA

5/7/2018

Page 110

11:45:03 1 Q Were you paid by BRI for doing these

2 promotions around the country?

3 A Yes, I was paid for the certified

4 instructors seminars for sure. As to the other

11:45:12 5 seminars which Walt occasionally got for me, of

6 course, when I showed up at the shop and everything,

7 they were the ones who paid me for the class, the

8 shops were. I did not collect a fee for that from

9 Bob Ross Company, no. Only for the certification

11:45:28 10 seminars.

11 Q Going back to when you were forming your

12 company, RSR Art, and you said that your uncle Jim

13 provided this documentation relating to the first

14 amendment to the revocable trust, was that the first

11:46:59 15 time that you had asked your uncle Jim or raised

16 with him questions relating to this revocable trust

17 that your father had set up?

18 A I had made a couple inquiries about trust

19 documents and so forth previously. I don't remember

11:47:27 20 what it was that came up, but there was two

21 different incidents, it seems like, where I had to

22 ask him something about the trust documents, and

Stephen R. Ross

McLean, VA

5/7/2018

Page 111

11:47:36 1 there was a particular time that I'm trying to think
2 of what I needed him for.

3 I needed documentation for something, and
4 I asked him to bring what he had over so that I
11:47:50 5 could go through it. And he came over to the house
6 with many boxes, many files, and he came in the door
7 and dropped them on the floor in the living room,
8 and I could already tell he was angry. Because if I
9 questioned anything about my trust, he became very
11:48:10 10 angry, as if I was accusing him of doing something
11 untoward, you know.

12 Q So how often over the years would you
13 question or raise questions with your uncle Jim
14 about the trust?

11:48:31 15 A Well, I should finish the story about the
16 boxes.

17 Q All right. Go ahead.

18 A After he put the boxes down on the floor,
19 I said, "Okay, I'll see you later, you know." And
11:48:40 20 he said, "I'm not leaving yet." And I said, "Well,
21 what am I supposed to do? Like read thousands of
22 documents in ten minutes?" You know. And he said,

Stephen R. Ross

McLean, VA

5/7/2018

Page 112

11:48:49 1 "I can't leave those here." He said, "I'm not

2 leaving those here."

3 And I said, "Well, I want to make copies

4 of some stuff," and he said, "No, I'm taking them

11:48:59 5 with me." So he packed them all back in the car and

6 took off. And I thought what in the heck. I didn't

7 understand why he was acting like that. It's my

8 trust. I should be able to see whatever is in it.

9 But he acted weird.

11:49:15 10 Q So that incident that you just described

11 when he brought in all the boxes, when did that

12 happen, approximately?

13 A Gee, whiz. Maybe ten years after Dad

14 died. I'd have to guess. It's all --

11:49:32 15 Q Somewhere around 2005, somewhere in that

16 time period when he brought over -- how many boxes

17 did he bring on that occasion?

18 A I'm not sure if it's 2005.

19 Q But about ten years after his passing?

11:49:45 20 A Something like that, yeah. Could even

21 have been a little longer. And there were -- the

22 number of boxes you were asking me?

Stephen R. Ross

McLean, VA

5/7/2018

Page 113

11:49:53 1 Q Yes.

2 A I would say, let me remember what it would

3 look like on my living room floor. I'm going to say

4 ten or 12, something like that. They were large

11:50:02 5 boxes, you know, file boxes full of paperwork that

6 went -- there had to be thousands and thousands of

7 pages.

8 Q So how long -- how did he get all those

9 boxes into your house?

11:50:16 10 A He just walked right in with them.

11 Q In all one trip?

12 A That's how I knew he was angry is that he

13 came in, dropped the first box on the floor, walked,

14 stormed back out the door, grabbed another one, came

11:50:29 15 in, threw it down on the floor, you know. And I'm

16 sitting there going why is he so angry? All I asked

17 was about my own trust documents.

18 Q So --

19 A And that's when I started thinking he was

11:50:42 20 really, there's something weird going on here.

21 Something rotten in Denmark.

22 Q So he brought in the boxes one box at a

Stephen R. Ross

McLean, VA

5/7/2018

Page 114

11:50:49 1 time?

2 A Yes. I believe so.

3 Q He would go to his car, get the box, bring
4 it in?

11:50:55 5 A Plop it down.

6 Q Plop it on the floor, go out and get
7 another box?

8 A And they were probably quite heavy.

9 Q While all this is going on, had you
11:51:03 10 started to look through what was in the boxes?

11 A I don't think so, no. I'm just standing
12 there watching him.

13 Q Did you ever open up any of the boxes that
14 were there?

11:51:15 15 A To be honest, no, I didn't have a chance
16 to look through all that stuff.

17 Q Did you ask him what box the trust
18 document was located in?

19 A I didn't know about the trust document at
11:51:26 20 that time, so I couldn't ask him for it.

21 Q You knew that there was a trust?

22 A You're talking about this?

Stephen R. Ross

McLean, VA

5/7/2018

Page 115

11:51:30 1 Q No, I'm not talking about Exhibit 5. I'm
2 asking about just documents related to the trust.
3 Did you ask him anything about those or which box
4 those documents were in?

11:51:41 5 A We were trying to find something in the
6 trust documents or I was, and I asked him about it
7 and I can't even remember, I honestly can't remember
8 what it was. It was some kind of legal matter or I
9 don't know. Not like criminal matter or anything,

11:52:04 10 some kind of legal thing and I needed paperwork and
11 I asked him about it. He told me on the phone
12 there's something here. I said, "bring those boxes
13 over. If you got those files bring them over."

14 So he brought them over and he wasn't
11:52:17 15 happy about it at all, and he wouldn't let me hold
16 them. He wouldn't let me keep my own trust
17 documents in my own house so I could make copies of
18 things. I found that highly suspicious.

19 Q What did you do after that?

11:52:31 20 A What did I do?

21 Q Yes. Did you make any further efforts to
22 try to gain access to those documents?

Stephen R. Ross

McLean, VA

5/7/2018

Page 116

11:52:38 1 A After he drove off after that incident,
2 only questioning about stuff. As I began to
3 question more, he takes me to the grocery store once
4 in a while or we go together to a store, and usually
11:52:51 5 in the car on the way back I would ask him about,
6 you know, things related to the trust that I've
7 always been unsure and suspicious about.

8 Q What had you been unsure and suspicious
9 about relative to the trust?

11:53:10 10 A Well, one thing is I knew my father like
11 really well. And he was always telling me, Don't
12 sign anything, be careful if you sign anything, you
13 know, he was always telling me that.
14 And so I found it very, very weird that my
11:53:30 15 dad would have just said, Okay, BRI, there you go,
16 have my whole name, all future use of everything
17 that has to do with my name. In other words, I
18 don't believe my dad would have sold his soul to the
19 devil.

11:53:47 20 Q So that was the nature of your suspicions
21 regarding what might have been in those trust
22 documents?

Stephen R. Ross

McLean, VA

5/7/2018

Page 117

11:53:59 1 A I don't think that's related to the trust
2 documents.

3 Q Then I'm trying to understand the little
4 story you told about your father telling you being
11:54:10 5 very careful about what you sign and that you didn't
6 believe that he would sign over to BRI his whole
7 name or give all future -- future use of everything
8 that has to do with his name. So I guess my
9 question is what, is that what was fueling your
11:54:32 10 suspicion about --

11 A These are two totally not related things,
12 I think.

13 Q Okay. Why did you mention that when you
14 were, when I asked you --

11:54:41 15 A Well, one thing you're asking about my
16 dad. The other thing you're asking about my uncle
17 Jim.

18 Q Okay. Why were you suspicious about --
19 let me ask it this way: Did you believe that there,
11:54:54 20 you know, your uncle Jim was trying to hide
21 something from you that was in the trust documents?

22 A Yes, yes, I do.

Stephen R. Ross

McLean, VA

5/7/2018

Page 118

11:55:03 1 Q And when did you first have that
2 impression? Was it when he came in with the 12
3 boxes and then left with the 12 boxes, or did it
4 occur even before that?

11:55:17 5 A I had always been curious.

6 Q You had?

7 A Yes.

8 Q Ever since your father's passing?

9 A Ever since his passing, yeah, I had been
11:55:24 10 curious that if there was -- the only way I know to
11 put it is if there was some film-flamming going on
12 behind the scenes or something. Everybody was
13 acting really weird. Not everybody, but a lot of
14 people involved in this situation were acting super

11:55:39 15 closed lipped, hushed mouth, almost as if they had
16 been influenced in some way not to talk about it.

17 Q Who were these people that you're talking
18 about?

19 A The whole deal, my uncle Jim, his wife,
11:55:55 20 Aunt Nancy, anybody -- and by the way, she used to
21 work for my father as a secretary. But anybody that
22 had anything to do with this seemed to be holding

Stephen R. Ross

McLean, VA

5/7/2018
Page 119

11:56:08 1 something back I guess would be the best way to put
2 it. Whenever I would question them about any of it,
3 it seemed like they were afraid to talk.

4 Q So it seemed like when they became as you
11:56:21 5 put it super closed lipped, they became super closed
6 lipped around you in your presence?

7 A I didn't necessarily think there was a
8 conspiracy transpiring, but I thought that there was
9 something going on and I don't know what it is,
11:56:34 10 and --

11 Q Or as you put it before, something wasn't
12 right in the state of Denmark?

13 A Yes, yes. Do you know how you get that
14 feeling inside that oh, this isn't right.

11:56:48 15 Q All right. Why don't we take our lunch
16 break now and come back in about an hour.

17 MR. PARTRIDGE: We can do that.

18 VIDEOGRAPHER: Going off the record at
19 11:57.

11:57:11 20 (Recess)

21 AFTERNOON SESSION

22 VIDEOGRAPHER: Back on the record at 1342.